ACTUAL PERFORMANCE FOR OUTPUT/EFFICIENCY MEASURES
448 - Office of Injured Employee Counsel
Fiscal Year 2012
9/26/2012

82nd Regular Session, Performance Reporting

Automated Budget and Evaluation System of Texas (ABEST)

Agency: 448 Office of Injured Employee Counsel

	2012	2012	2012	Percent of	
e/ <u>Strategy</u> /Measure	Target	t Actual	YTD	Annual Target	
tput Measures					
-1-1 OMBUDSMAN PRO	<u>GRAM</u>				
2 # OF BRC W/ OMBUD	SMAN ASSISTANCE				
Quarter 1	3,515.00	1,662.00	1,662.00	47.28 % *	703.00 - 1,054.5
quarter of F Y	2011 there were only 991.				
Quarter 2 Explanation o	3,515.00 <u>f Variance:</u> The Office of Injured Enview Conferences (BRC) with Ombuc			•	
Quarter 2 Explanation of Benefit Reincreased 75 p	3,515.00 f Variance: The Office of Injured Enview Conferences (BRC) with Ombucercent compared to the same time pe	nployee Counsel (OIEC) exce dsman assistance was higher t riod last year. In the second of	eded this measure's target than anticipated. The num	for the second quarter of FY 2012 be ber of BRCs with Ombudsman assist	cause the number ance has
Quarter 2 Explanation of Benefit Reincreased 75 p	3,515.00 f Variance: The Office of Injured Enview Conferences (BRC) with Ombuc	nployee Counsel (OIEC) exce dsman assistance was higher t riod last year. In the second of	eded this measure's target than anticipated. The num	for the second quarter of FY 2012 be ber of BRCs with Ombudsman assist	ance has nan assistance
Quarter 2 Explanation of of Benefit Reincreased 75 pand in the sec Quarter 3 Explanation of Benefit Revies 39 percent con	3,515.00 f Variance: The Office of Injured Enview Conferences (BRC) with Ombuc bercent compared to the same time per per quarter of FY 2011 there were on	nployee Counsel (OIEC) excellsman assistance was higher to riod last year. In the second only 1,009. 1,978.00 nployee Counsel (OIEC) excellent assistance was higher that	beded this measure's target than anticipated. The num quarter of FY 2012, there very 5,412.00 beded this measure's target in anticipated. The number	for the second quarter of FY 2012 be ber of BRCs with Ombudsman assist were 1,765 BRCs held with Ombudsman 153.97 % * for the third quarter of FY 2012 becan of BRCs with Ombudsman assistance	exause the number ance has nan assistance 2,460.50 - 2,812.0 tuse the number of the has increased

significantly higher than anticipated. The number of BRCs with Ombudsman assistance has increased 83 percent compared to FY 2010 and 47 percent compared to FY 2011. There were 4,915 BRCs held with Ombudsman assistance in FY 2011 and the number increased to 7,226 in FY 2012. OIEC believes the increase in the need for Ombudsman assistance is due to OIEC's education efforts, the economy, and the free assistance provided by the Ombudsman Program.

^{*} Varies by 5% or more from target.

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oe/ <u>Strategy</u> /M	easure	2012 Target	2012 Actual	2012 YTD	Percent of Annual Target	
utput Measur	es					
4 # OF CC	H W/ OMBUDSMAN ASSISTAN	NCE				
Quarter 1	1	,791.00	617.00	617.00	34.45 % *	358.20 - 537.3
0	percent compared to the same tim quarter of FY 2011 there were on	ne period last year. In the finally 467.	rst quarter of FY 2012, there v	vere 608 CCHs held wi	with Ombudsman assistance has increased 30 th Ombudsman assistance and in the first	
Quarter 2	I	1,791.00	716.00	1,333.00	74.43 % *	805.95 - 985.03
	of Contested Case Hearings (CCI	H) with Ombudsman assistatime period last year. In the	nce was higher than anticipate	d. The number of CCI	second quarter of FY 2012 because the numbers with Ombudsman assistance has increased eld with Ombudsman assistance and in the	
Quarter 3	of Contested Case Hearings (CCI 71 percent compared to the same second quarter of FY 2011 there	H) with Ombudsman assistatime period last year. In the	nce was higher than anticipate e second quarter of FY 2012, t	d. The number of CCI	As with Ombudsman assistance has increased eld with Ombudsman assistance and in the	
Quarter 3	of Contested Case Hearings (CCI 71 percent compared to the same second quarter of FY 2011 there 1 Explanation of Variance: The Or Contested Case Hearings (CCH)	H) with Ombudsman assistatime period last year. In the were only 406. 1,791.00 ffice of Injured Employee Cowith Ombudsman assistance are period last year. In the th	nce was higher than anticipate e second quarter of FY 2012, to 819.00 counsel (OIEC) exceeded this rewas higher than anticipated.	d. The number of CCI here were 694 CCHs h 2,152.00 neasure's target for the The number of CCHs	As with Ombudsman assistance has increased eld with Ombudsman assistance and in the	,253.70 - 1,432.80 r of

Explanation of Variance: OIEC exceeded this measure's target in FY 2012 due to the substantial increase in the need for Ombudsman assistance, which was significantly higher than anticipated. The number of CCHs with Ombudsman assistance has increased 51 percent in FY 2012 compared to FY 2010 and 48 percent compared to FY 2011. In FY 2012 there were 2,907 CCHs held with Ombudsman assistance and in FY 2011 there were only 1,954. OIEC believes the increase in the need for Ombudsman assistance is due to OIEC's education efforts, the economy, and the free assistance provided by the Ombudsman Program.

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	2012	2012	2012	Percent of	
ype/Strategy/Measure	Target	Actual	YTD	Annual Target	
Output Measures					
5 # OF OMBUDSMAN A	PPEAL PREPS				
Quarter 1	522.00	214.00	214.00	41.00 % *	104.40 - 156.60
appeal than an appointments	f Variance: The Office of Injured Empticipated during the first quarter of FY has increased 44 percent compared to Dmbudsman, and in the first quarter of	2012 which is a positive resthe same time period last year	ult. The number of injure ar. In the first quarter of F	d employees that have attended prepa	ration
Quarter 2	522.00	247.00	461.00	88.31 % *	234.90 - 287.10
appeal than an appointments an appeal by a	f Variance: The Office of Injured Empticipated during the second quarter of thas increased 82 percent compared to n Ombudsman, and in the second quarter of the second quarter o	FY 2012 which is a positive the same time period last yea ter of FY 2011 there were or	result. The number of injury. In the second quarter only 136.	ured employees that have attended pref FY 2012, 247 injured employees we	eparation re prepared for
Quarter 3	522.00	276.00	737.00	141.19 % *	365.40 - 417.60
appeal than an appointments	f Variance: The Office of Injured Empticipated during the third quarter of FY has increased 60 percent compared to Dmbudsman and in the third quarter of	Y 2012 which is a positive reather the same time period last year	sult. The number of injurence. In the third quarter of F	ed employees that have attended prepa	aration
Quarter 4	522.00	302.00	1,039.00	199.04 % *	495.90 - 548.10
Explanation of	f Variance: OIFC exceeded this meas	ure's target because more init	ired employees were pren	ared for an anneal than anticinated du	ring FV 2012

Explanation of Variance: OIEC exceeded this measure's target because more injured employees were prepared for an appeal than anticipated during FY 2012. The number of injured employees that have attended preparation appointments has increased 80 percent in FY 2012 compared to FY 2010 and 63 percent compared to FY 2011. In FY 2012, 1,039 injured employees were prepared for an appeal by an Ombudsman and in FY 2011 there were only 636. OIEC believes the increase in the need for Ombudsman assistance is due to OIEC's education efforts, the economy, and the free assistance provided by the Ombudsman Program.

2-1-1 RIGHTS RESPONSIBILITIES & REFERRAL

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10.	2012	2012	2012	Percent of	
ype/ <u>Strategy</u> /Measure	Target	Actual	YTD	Annual Target	
Output Measures					
1 # INJURED EMPLOYEES	REACHED				
Quarter 1	185,000.00	46,059.00	46,059.00	24.90 %	37,000.00 - 55,500.00
Quarter 2	185,000.00	42,881.00	88,940.00	48.08 %	83,250.00 - 101,750.00
Quarter 3	185,000.00	47,698.00	136,638.00	73.86 %	129,500.00 - 148,000.00
Quarter 4	185,000.00	46,156.00	182,794.00	98.81 %	175,750.00 - 194,250.00
3-1-1 ADVOCATE FOR INJU	JRED EMPLOYEES				
1 NUMBER OF ADOPTED	RULES ANALYZED				
Quarter 1	9.00	3.00	3.00	33.33 % *	1.80 - 2.70
and Division of V	Workers' Compensation (DWC) r	ule initiatives to carryout its	statutory mission to advoca	ates in both the Texas Department te on behalf of the injured employer first quarter of EV 2012 because	ees of Texas
and Division of V pursuant to Texa adopted than anti	Workers' Compensation (DWC) rs Labor Code §§404.101 and 404. icipated.	ule initiatives to carryout its s 104. OIEC did not meet this	statutory mission to advoca measure's target during the	te on behalf of the injured employer first quarter of FY 2012 because	ees of Texas more rules were
and Division of V pursuant to Texa adopted than anti Quarter 2	Workers' Compensation (DWC) r s Labor Code §§404.101 and 404. icipated. 9.00	ule initiatives to carryout its s 104. OIEC did not meet this 4.00	statutory mission to advoca measure's target during the 7.00	te on behalf of the injured employer first quarter of FY 2012 because 77.78 % *	ees of Texas more rules were 4.05 - 4.95
and Division of V pursuant to Texa adopted than anti Quarter 2 Explanation of V and Division of V	Workers' Compensation (DWC) r s Labor Code §§404.101 and 404. icipated. 9.00 Variance: The Office of Injured En Workers' Compensation (DWC) r s Labor Code §§404.101 and 404.	ule initiatives to carryout its s 104. OIEC did not meet this 4.00 mployee Counsel (OIEC) and ule initiatives to carryout its s	statutory mission to advoca measure's target during the 7.00 lyzes and actively participa statutory mission to advoca	te on behalf of the injured employer first quarter of FY 2012 because	ees of Texas more rules were 4.05 - 4.95 of Insurance (TDI) ees of Texas
and Division of V pursuant to Texa adopted than anti Quarter 2 Explanation of V and Division of V pursuant to Texa	Workers' Compensation (DWC) r s Labor Code §§404.101 and 404. icipated. 9.00 Variance: The Office of Injured En Workers' Compensation (DWC) r s Labor Code §§404.101 and 404.	ule initiatives to carryout its s 104. OIEC did not meet this 4.00 mployee Counsel (OIEC) and ule initiatives to carryout its s	statutory mission to advoca measure's target during the 7.00 lyzes and actively participa statutory mission to advoca	te on behalf of the injured employer first quarter of FY 2012 because 77.78 % * Attes in both the Texas Department te on behalf of the injured employer.	ees of Texas more rules were 4.05 - 4.93 of Insurance (TDI) ees of Texas
and Division of V pursuant to Texa adopted than anti Quarter 2 Explanation of V and Division of V pursuant to Texa adopted as antici Quarter 3 Explanation of V and Division of V pursuant to Texa	Workers' Compensation (DWC) r s Labor Code §§404.101 and 404. icipated. 9.00 Variance: The Office of Injured En Workers' Compensation (DWC) r s Labor Code §§404.101 and 404. pated. 9.00 Variance: The Office of Injured En Workers' Compensation (DWC) r	4.00 mployee Counsel (OIEC) ana ule initiatives to carryout its sale initiatives to carryout its sa	7.00 lyzes and actively participal transure's target during the actively participal transure's target during the statutory mission to advoca measure's target during the actively participal transuction to advoca transuction transu	te on behalf of the injured employer first quarter of FY 2012 because 77.78 % * ates in both the Texas Department the on behalf of the injured employer second quarter of FY 2012 because	ees of Texas more rules were 4.05 - 4.99 of Insurance (TDI) ees of Texas use more rules were 6.30 - 7.20 of Insurance (TDI) ees of Texas

anticipated.

pursuant to Texas Labor Code §§404.101 and 404.104. OIEC exceeded this measure's target in FY 2012 because more rules were analyzed and adopted than

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		2012	2012	2012	Percent of	
pe/ <u>Strategy</u> /Mea	asure	Target	Actual	YTD	Annual Target	
utput Measure	s					
2 # ADOPT	ED RULES W/PARTICIPATIO)N				
Quarter 1		9.00	1.00	1.00	11.11 % *	1.80 - 2.70
	and Division of Workers' Comp	pensation (DWC) rule \$404.101 and 404.10	initiatives to carryout its stat 4. OIEC did not meet this m	tutory mission to advocate	es in both the Texas Department of Insurance (TDI) e on behalf of the injured employees of Texas first quarter of FY 2012 because fewer rules that	
Quarter 2		9.00	3.00	4.00	44.44 % *	4.05 - 4.9
	and Division of Workers' Comp	pensation (DWC) rule \$404.101 and 404.10	initiatives to carryout its stat 4. OIEC did not meet this m	tutory mission to advocate easure's target during the	es in both the Texas Department of Insurance (TDI) e on behalf of the injured employees of Texas second quarter of FY 2012 because fewer rules that ded changes were necessary.	
Quarter 3		9.00	4.00	8.00	88.89 % *	6.30 - 7.2
	and Division of Workers' Comp	pensation (DWC) rule \$404.101 and 404.10	initiatives to carryout its stat	tutory mission to advocate	es in both the Texas Department of Insurance (TDI) e on behalf of the injured employees of Texas d quarter of FY 2012 because OIEC participated in	
Quarter 4		9.00	3.00	11.00	122.22 % *	8.55 - 9.43
	and Division of Workers' Comp	ensation (DWC) rule	initiatives to carryout its stat	tutory mission to advocate	es in both the Texas Department of Insurance (TDI) e on behalf of the injured employees of Texas cause OIEC participated in more proposed rules than	

Efficiency Measures

2-1-1 RIGHTS RESPONSIBILITIES & REFERRAL

anticipated.

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	2012	2012	2012	Percent of	
Type/Strategy/Me	easure Target	Actual	YTD	Annual Target	
Efficiency Meas	ures				
1 AVG DA	YS FOR INJURED EMP CONTACT				
Quarter 1	18.00	22.94	22.94	127.44 % *	17.10 - 18.90
	Explanation of Variance: The performance for Notice of Injured Employee Rights and Responsinformed of the injury. Some injuries may not be	sibilities in the Workers' Compensa	ation System is not maile		
Quarter 2	18.00	20.39	21.70	120.56 % *	17.10 - 18.90
	<u>Explanation of Variance:</u> The performance for the Notice of Injured Employee Rights and Respinformed of the injury. Some injuries may not be	ponsibilities in the Workers' Comp	ensation System is not m		
Quarter 3	18.00	17.20	20.14	111.89 % *	17.10 - 18.90
	<u>Explanation of Variance:</u> The performance for exceeded due to the timely electronic distribution	_	-	-	_
Quarter 4	18.00	12.80	18.58	103.22 %	17.10 - 18.90

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